

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

WP(C).No. 31207 of 2006(M)

PETITIONERS:

1. MOHANAN, S/O.GOPALAN,
VALIYAVEETIL, VENGOLA P.O.,
ARAKKAPADY VILLAGE, KUNNATHUNADU TALUK.
2. ELDHOSE K.G.,
S/O.GEORGE, KEERAMKUNEL HOUSE,
VENGOLA KARA, PERUMANI, VENGOLA P.O.,
ARAKKAPPADY VILLAGE, KUNNATHUNADU TALUK,
PIN-683 554.

BY ADV. SRI.LEGY ABRAHAM
SRI.JOSWIN THAMBI KUNNATH

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
ERNAKULAM,
CIVIL STATION, KAKKANAD, COCHIN-682 030.
2. THE VILLAGE OFFICER,
ARAKKAPPADY VILLAGE,
ARAKKAPPADY P.O.
3. THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, ERNAKULAM,
CIVIL STATION, KAKKANAD, COCHIN-682 030.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

W.P.(C)NO.31207 OF 2006

Dated this the 24th day of November 2006

JUDGMENT

The quarrying operation of petitioners' is stopped by the Village Officer under Ext.P6 order on the ground that the petitioners have no license. Since petitioner has approached the District Collector against the Village Officer's order claiming that they have license, it is for the petitioners' to demonstrate before the District Collector that the order of the Village Officer is incorrect by producing required license for carrying on the quarrying operations.

2. Writ petition is disposed of with a direction to the first respondent to call for report of the Village Officer, hear the parties and allow the petitioners to produce documents and take final decision on Ext.P9 within a period of three weeks from the date of production of a copy of judgment. Petitioner shall produce a copy of the writ petition and judgment before the District Collector for compliance.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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